

MOTION INFORMATION STATEMENT

Docket Number(s): 15-1672

Caption [use short title]

Motion for: Leave to Appear Pro Hac Vice

United States, et al.
Plaintiffs-Appellees,
v.
American Express Co., et al.,
Defendants-Appellants.

Set forth below precise, complete statement of relief sought:

The undersigned moves for leave to appear pro
hac vice as counsel for Amici Curiae
Merchants [see attached list]

MOVING PARTY:

☐ Plaintiff ☒ Defendant
☐ Appellant/Petitioner ☐ Appellee/Respondent

OPPOSING PARTY:

MOVING ATTORNEY: William J. Blechman

[name of attorney, with firm, address, phone number and e-mail]

OPPOSING ATTORNEY:

Kenny Nachwalter, P.A.

(305) 373-1000

201 South Biscayne Blvd., Suite 1100

wblechman@knpa.com

Miami, FL 33131

Court-Judge/Agency appealed from: Hon. Nicholas G. Garafius, U.S. District Court for the Eastern District of New York

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):

☐ Yes ☐ No (explain):

Opposing counsel's position on motion:

☐ Unopposed ☒ Opposed ☐ Don't Know

Does opposing counsel intend to file a response:

☐ Yes ☐ No ☒ Don't Know

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below?

☐ Yes ☐ No
☐ Yes ☐ No

Has this relief been previously sought in this Court?

Requested return date and explanation of emergency:

Is oral argument on motion requested?

☐ Yes ☒ No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?

☐ Yes ☐ No If yes, enter date:

Signature of Moving Attorney:

/s/ William J. Blechman

Date: June 2, 2015

Service by: ☐ CM/ECF

☒ Other [Attach proof of service]

EXHIBIT A

Amici Curiae Merchants

Ahold U.S.A., Inc.
Albertsons LLC
BI-LO LLC
CVS Caremark Corp.
The Great Atlantic and Pacific Tea Company, Inc.
H.E. Butt Grocery Co.
Hy-Vee, Inc.
The Kroger Co.
Meijer, Inc.
Publix Super Markets, Inc.
Raley's Inc.
Rite Aid Corporation
Safeway Inc.
Supervalu, Inc.
Walgreen Co.

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES, et al.,

Plaintiffs-Appellees,

v.

AMERICAN EXPRESS CO., et al.,

Defendants-Appellants.

No. 15-1672

MOTION FOR LEAVE TO APPEAR *PRO HAC VICE*

William J. Blechman hereby respectfully moves for leave to appear *pro hac vice* as counsel for the *Amici Curiae* Merchants (listed on the attached Exhibit A).

Undersigned counsel represents numerous major grocery and pharmacy chains and other merchants and is seeking leave to appear *pro hac vice* in this matter for the purpose of filing, on behalf of these merchants and with leave of this Court, an *amicus* opposition to Appellant American Express' emergency motion to stay a District Court permanent injunction pending appeal, and subsequently an *amicus* brief regarding the merits of the emergency motion. By order of this Court, any opposition to the emergency motion to stay is due by June 5, 2015.

I certify that I was originally admitted in 1983 to the practice of law in the State of Florida and am a member in good standing of The Florida Bar, the District of Columbia (admitted 1984), and a member in good standing of the Supreme Court of the United States (admitted 1990), the United States Court of Appeals for the Eleventh Circuit (admitted 1986), and the United States District Court for the Southern District of Florida (and Trial Bar) (admitted 1985).

Dated: June 2, 2015

Respectfully submitted,

KENNY NACHWALTER, P.A.
Richard Alan Arnold, Esquire
William J. Blechman, Esquire
James Almon, Esquire
201 S. Biscayne Boulevard
Suite 1100
Miami, Florida 33131
Tel: (305) 373-1000
Fax: (305) 372-1861
E-mail: wblechman@knpa.com

By: /s/ William J. Blechman
William J. Blechman

Counsel for *Amici Curiae* Merchants

EXHIBIT A

Amici Curiae Merchants

Ahold U.S.A., Inc.
Albertsons LLC
BI-LO LLC
CVS Caremark Corp.
The Great Atlantic and Pacific Tea Company, Inc.
H.E. Butt Grocery Co.
Hy-Vee, Inc.
The Kroger Co.
Meijer, Inc.
Publix Super Markets, Inc.
Raley's Inc.
Rite Aid Corporation
Safeway Inc.
Supervalu, Inc.
Walgreen Co.

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

CAPTION:

United States, et al. v.American Express Co., et al.**CERTIFICATE OF SERVICE**Docket Number: 15-1672

I, William J. Blechman, hereby certify under penalty of perjury that on
 (name)
June 2, 2015, I served a copy of Motion for Leave to Appear Pro Hac Vice
 (date)

(list all documents)

by (select all applicable)*

- ☒ United States Mail
☐ Federal Express
☐ Overnight Mail
☐ Facsimile
☒ E-mail
☐ Hand delivery

on the following parties (complete all information and add additional pages as necessary):

<u>Evan R. Chesler</u>	<u>825 Eighth Ave.</u>	<u>New York,</u>	<u>NY</u>	<u>10019</u>
Name	Address	City	State	Zip Code
<u>Nickolai G. Levin</u>	<u>950 Pennsylvania Ave. NW</u>	<u>Washington,</u>	<u>DC</u>	<u>20530</u>
Name	Address	City	State	Zip Code
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Name	Address	City	State	Zip Code
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Name	Address	City	State	Zip Code

June 2, 2015

Today's Date

/s/ William J. Blechman

Signature

*If different methods of service have been used on different parties, please indicate on a separate page, the type of service used for each respective party.